MR. A. K. KUMARAN VAIDYAN : അതെ.

MR. T. T. KESAVAN SASTRI : എന്നിട്ട് മെംബർ മസൂരി രോഗം കണ്ടു ഭയന്നു പിൻമാറി എന്നുപറയുന്നതു് ശരിയാണോ?

MR. A. K. KUMARAN VAIDYAN : മരണത്തിലുള്ള എന്റെ താൽപര്യക്കുറവുകൊണ്ടു് ഞാൻ അപ്രകാരം ചെയ്യുന്നതാണു്.

മസൂരിരോഗബാധിതരായ ആളുകൾ അവിടെ ഇക്കൊല്ലം ഉണ്ടായിരുന്നില്ലെന്നു ഡയറക്ടർ അവർകൾ പറഞ്ഞതിൽ ഞാൻ വളരെവ്യസനിക്കുന്നു. ഞാൻപോരുന്ന അവസരത്തിൽ ഇപ്പോൾ ഒരു പതിനഞ്ചുദിവസത്തിനകം ഈ രോഗംവന്നു് ഒരു പുലയനും മൂന്നു കുസ്തൂരാനികളും കോട്ടവള്ളി എന്ന സ്ഥലത്തു മരിച്ചിട്ടുണ്ടു് ഇതിനെസംബന്ധിച്ചു് സാനിട്ടറിഇൻസ്പെക്ടർ വല്ലതും പ്രവർത്തിച്ചിട്ടുണ്ടോയെന്നു ഡയറക്ടർ അന്വേഷിച്ചാൽകൊള്ളാം. അതുകൊണ്ടു് ഗവണ്മെൻറും പബ്ലിക് ഹെൽത്തു ഡയറക്ടരും വടക്കൻപറവൂർകാരായ ഞങ്ങളുടെ സങ്കടങ്ങൾ തീർത്തുതരുവാൻ ഞാൻ അപേക്ഷിച്ചുകൊള്ളുന്നു.

DEPUTY PRESIDENT : The House will now adjourn and meet again at 5- 15 P. M. to transact Legislative Business.

The House adjourned at 5. P. M. and reassembled at 5- 15 P. M. with the President in the Chair.

LEGISLATIVE BUSINESS.(*contd.*)

THE TRAVANCORE DEBT RELIEF BILL. (*contd.*)

MR. PUTHUPALLI S. KRISHNA PILLAI : Sir, before I move for the third reading of the Travancore Debt Relief Bill, I have to move a few amendments to some of the clauses of which I have given notice. These are formal amendment and do not alter the principles of the Bill.

Clause 3.

Sir, I move that.

" Clause 3 shall be renumbered as sub-clause (1) of Clause 3 and after the Explanation the following shall be added as sub-clause (2), namely :—

"(2) Notwithstanding anything contained in sub-section (1) or Sections 4, 5, 6 and 7 the provisions of Sections 18, 19, 20, 21 and 23 shall apply to all classes of debts whether incurred before on or after the 23rd Dhanu 1112."

Sir, in clause 3, as it stands, the wording is that "subject to the provisions of Sections 4 to 7, this Act shall apply to all debts incurred before the 23rd day of Dhanu 1112." At the time the section was drafted the Bill did not contain anything similar to clauses 18 to 21 and 23. They are subsequent additions. In clause 4 it is stated that the Act shall not be applicable to any debt incurred on or after the 23rd Dhanu and in respect of other debts clauses 5, 6 and 7 say that the Act shall or shall not apply subject only to certain limitations. Then clauses 18 to 21 and 23 relate to insolvency proceedings. If clause 3

LIBRARY ARCHIVES Kerala Legislative Assembly

read with clause 4 were to stand as it stands now, it may happen that the courts will not be competent to decide on the admissibility of the debt incurred on or after the 23rd Dhanu 1112. It would not be competent for them to stay execution of decrees relating to such debts pending disposal of the application and the debtors will not be able to get a full discharge. In some cases the debtors will have even to go without a remedy. So, I have proposed to delete the expression in sub-clause (j) of clause 4 by this amendment and transfer it as sub clause (2) of clause 3 so that under the provisions in clauses 18 to 21 and 23 the courts may be competent to take cognisance of all debts under insolvency provisions.

I move that the amendment proposed may be accepted.

MR. C. V. CHANDRASEKHARAN: Sir, I second the motion.

The question that "Clause 3 shall be renumbered as sub-clause (1) of Clause 3 and after the Explanation the following shall be added as sub-clause (2), namely:—

"(2) Notwithstanding anything contained in sub-section (1) or Sections 4, 5, 6 and 7 the provisions of Sections 18, 19, 20, 21 and 23 shall apply to all classes of debts whether incurred before, on, or after the 23rd Dhanu 1112." was put to vote and declared carried.

Clause 4.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir. I rise to move the next amendment standing in my name, viz.,

"In Clause 4 sub-clause (j) the words and figures 'except for purposes of Sections 19, 20, 21 and 23' shall be omitted."

Sir, this is only a consequential amendment. It follows from the amendment that has already been accepted.

MR. C. V. CHANDRASEKHARAN: Sir, I second the motion.

The question that

"In Clause 4 sub-clause (j) the words and figures 'except for purposes of Sections 19, 20, 21 and 23' shall be omitted"

was put to vote and declared carried.

Clause 9.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, Mr. E. Subramonia Iyer moved an amendment to this clause and it was at his instance that sub-clause (5) was adopted. Sub-clause (5) as printed does not I am told contain all the words which were stated by him at the time the motion was moved.

I have merely carried out the intention of the mover and corrected the printing mistakes.

The question that

"In sub-clause (5) of Clause 9;

(a) for the words "payment of any amount made under" the words "any payment made in accordance with" shall be substituted and

(b) for the words 'may apply' the words 'may within thirty days from the date of such refusal apply' shall be substituted"

was put to vote and declared carried.

LIBRARY ARCHIVES Kerala Legislative Assembly

Clause 12.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I move that in Clause 12 for the words' other than' the word 'exceeding' shall be substituted.

The clause as it stands now is this:

"No future interest other than simple interest calculated at 4 per cent per annum in the case of money debts and six per cent per annum in the case of paddy debts shall be chargeable from the date of the commencement of the Act on any debt to which this Act applies."

There may be cases where only 3 per cent or 2 per cent interest is chargeable under the contract. This amendment is intended only to cover those cases. Therefore, the word 'exceeding' is to be substituted for the words 'other than'.

MR. C. V. CHANDRASEKHARAN: Sir, I second the motion.

The question that

"In Clause 12 for the words 'other than' the word 'exceeding' shall be substituted"

was put to vote and declared carried.

Clause 16.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I move that in sub-clause (3) (a) of Clause 16, for the word 'he' where it occurs for the first time the words 'the applicant' shall be substituted.

Sir, this requires no explanation; it is only a verbal alteration that is proposed,

The question that

"In sub-clause (3) (a) of Clause 16, for the word 'he' where it occurs for the first time the words 'the applicant' shall be substituted."

was put to vote and declared carried.

Clause 25.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I move that in Clause 25 a colon shall be substituted for the full-stop and the following shall be added, namely:

"Provided that such repeal shall not be deemed to affect the operation of Sections 34, 35 and 36 of the said Act during the period those sections were in force."

Sir, regarding clause 25 relating to repeal, there was a heated discussion on the question whether the repeal would affect the operation of the temporary provisions during the period they were in operation. I suggested that some provision may be suggested wherby it may be clearly or expressly indicated that the repeal does not affect the operation of these three sections during the period.

MR. S. CHATTANATHA KARAYALAR: Sir, is not this amendment inconsistent with the real enacting portion?

PRESIDENT: No. It is 'during the period those sections were in force'.

MR. S. CHATTANATHA KARAYALAR: Should it not be by way of a special enacting clause rather than a proviso.

PRESIDENT: As to the legal effect of a proviso there has always been a controversy. But the better trend of authority is that under appropriate cases, the proviso may act as an enacting clause. This is a well-known legal principle and I think there is no difficulty in this matter.

LIBRARY ARCHIVES Kerala Legislative Assembly

The question that

"In Clause 25 a colon shall be substituted for the full stop and the following shall be added, namely:

"Provided that such repeal shall not be deemed to affect the operation of Sections 34, 35 and 36 of the said Act during the period those sections were in force"

was put to vote and declared carried.

Clause 1.

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, I move that in clause I after the figures '111' the figures '5' may be added.

MR. C .V. CHANDRASEKHARAN: Sir, I second it.

The question that

"In Clause 1 after the figures '111' the figure '5' may be added"

was put to vote and declared carried.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I move that the Travancore Debt Relief Bill, as amended, be passed.

MR. C. V. CHANDRASEKHARAN: Sir, I second the motion.

MR. R. SAMBASIVA AIYAR: (*Co-opted*) Sir, I oppose the motion. Sir, there was an assurance from the Government that in the first instance nothing would be done to impair the credit facilities of the country in legislating for the relief of debtors in the State. Secondly, it was assured that subject to this first principle, reduction of debt should be accompanied by payment so that there may be no expropriation without compensation. If therefore these principles were followed, you said, Sir, that there would be no real cause for alarm or for creditors to get panicky. That policy of the Government was substantially right. But I beg to submit that this bill, as now passed by this assembly, does not conform to those principles set by you and therefore it deserves to be rejected.

I shall try to prove my statement by a reference to the Bill and its provisions. I shall first try to analyse the Bill. This Bill, Sir, contains 25 provisions. Sections 1 and 2 deal with the name and the definitions of the terms employed. Sections 3 to 7 relate to the applicability of the Act with suitable limitations and exemptions. Clause 4 deals with absolute limitation and Clauses 5 to 7 with limited exemptions.

MR. M. SIVATHANU PILLAI: Sir, on a point of order. May I know whether the member has a right of speech excepting.....

PRESIDENT: He does not want the Bill to be passed.

MR. PUTHUPALLY S. KRISHNA PILLAI: He is entitled to support his position by the statements. But I may point out that he is not entitled to discuss a principle or to traverse grounds which have already been discussed.

LIBRARY ARCHIVES Kerala Legislative Assembly

PRESIDENT : In fact, he cannot, in his speech, nullify either the vote or the decisions that this House has already taken. He might make observations in regard to the inexpediency of allowing this Bill to be passed.

MR. R. SAMBASIVA AIYAR : Sir, Clauses 8 to 14 deal with the main reliefs. Clause 15 contains the procedure for the main relief. Clauses 16 to 21 and 23 relate to subsidiary reliefs. Clauses 22, 24 and 25 deal with certain restrictions in the applicability of the Act and the provisions for the repeal of the earlier enactment.

Thus, I have sub-divided the whole Bill into four main sections. Leaving the definitions alone, that is clause 2, I would first take up clauses 3 to 7 which deal with the applicability of the Act and the limitations and exemptions.

Now my submission with regard to this point is that the principle enunciated by you that the credit of the country would on no account be allowed to be impaired has not been kept in view. In support of the statement I would refer to the way in which this bill deals with co-operative institutions, trade debts and public banks. These are three of the main sources of credit in this country. My submission is that all these sources of credit would be dried up and that further there is likely to be a run on the banking institutions, a run on the co-operative institutions and a strike by the traders.

Even the Debt Relief Committee which has made recommendations regarding them has made completely different suggestions. What the Committee recommended was that they were entitled to partial exemption, that only a maximum of 9 per cent interest should be allowed on such transactions, and that they should not be made subject to the provisions of a bill of this nature. That salutary recommendation has not been kept in view in framing this bill. I submit that the bill has not followed the first principle enunciated by you, namely that the credit of the country should under no circumstences be allowed to be interfered with.

Next dealing with the clauses 8 to 14 I submit that they are not justified on the second principle enunciated by you, namely, that if there is a reduction, that reduction is only for the purposes of payment and there is no reason to get panicky, that after all some concessions may be shown when actual payments are made. No doubt, Sir, that is a salutary principle. But it has not been kept in view as it should be. My objection to clauses 8 to 14 are as follows :—

(1) That the principal amount advanced is allowed to be cut by the application of section 9. For the purpose of payment. only a portion of the interest should be cut, not even the whole interest. Therefore I submit that if a creditor is given the only remedy of getting 80 per cent of what he has advanced and that only in 9 years, it is adding practically insult to injury. To impose a reduction for purpose of payment and then to proceed and cut the principal and then extend the period to such a long time and then justify it on the ground that the reduction is made for purposes of payment, that,

LIBRARY ARCHIVES Kerala Legislative Assembly

Sir, is not the correct application of the principle. In strict law compensation is provided but here it is a case of expropriation without substantial compensation. The compensation is too flimsy, too nominal that it will not satisfy the requirements of law or justice.

The second point under the head is that there is a double cut. In the bill as originally approved by the Government there were provisions only for one cut of 30 or 20 per cent. Now, by the addition of a new clause, *i. e.*, clause 11, there is a double cut. It may be justified that it is also for the payment of debt. It is substantially unjust.

The third point is that the period provided for repayment is too long, so long as to be quite unconscionable. If the periods were as originally proposed by the Government, there was some justice. But the extension of the period to 9 years is substantially unjust. Another point is the debtor is allotted the privilege of paying in instalments without being called upon to give any security for the debt.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I rise to a point of order, Sir. Paragraph 103, page 36 of the Sri Mulam Assembly Manual contains a provision regulating discussion at this stage. It says that only on one ground, any member can object to the passing of the Bill, *viz.*, if any amendment is tabled on that day on that ground alone a member has the right to object the Bill.

PRESIDENT: The provision is no doubt that at this stage of the motion, the Assembly shall consider amendments. No amendment other than those connected with the amendments put forward should be brought without the special permission of the Chair.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: It is stated in sub-clause (2) of the same paragraph that any other member can object to the bill only on one ground.

PRESIDENT: The Section reads

> "If any amendment of a bill is made, any member may object to any motion being made on the same day that the bill be passed, and such objections shall prevail unless the President in exercise of his power to suspend this Standing Order allows the motion to be made."

No doubt it says that it is one of the rights of the House that after having passed amendments on the same day, the bill should not be rushed through the third reading. I have been looking into the matter and I find that according to Parliamentary practice, on the third reading of the bill not only can such a position be taken but a debate is also permissible on the bill as a whole. The debate on the third reading is more restricted than on the second reading and limited to matters contained in the bill. So the general Parliamentary practice appears to be that what may be called a detailed discussion of the bill is not allowed but general objections to the passing of the bill on a general *or a priori* grounds or on grounds of faults of procedure may be put forward. That seems to be the general rule and I shall follow it.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. R. SAMBASIVA AIYAR : Sir, I was submitting that the debtor is allowed the privilege of paying in instalments. The creditor then according to me, is entitled to some security. But that provision is not here in the Bill. Therefore I submit that clauses 8 to 14 are objectionable from the point of view of the principle as enunciated by you.

Then, dealing with clauses 16 to 21 and 23, which deal with subsidiary reliefs, they are objectionable from the point of view that they relate also to transactions which have been entered into after 1112. There would have been no objection if they related only to debts incurred before 1112, but, for purposes of these sections, debts incurred after 1112 are also taken into account. Therefore there is definite ground for creditors to get panicky. I submit that the Bill does not satisfy the requirements or does not come within any of the principles enunciated by you, and therefore the bill should be rejected. I may state in conclusion that the leader of the National Congress party at one stage of the Bill promised to support some of my amendments and said that he agreed with me in fixing a pecuniary limit for the reliefs proposed.

PRESIDENT : Outer negotiations and extra-mural negotiations are not relevant here.

MR. R. SAMBASIVA AIYAR : The attitude of the National Congress party is one of non-violent non-co-operation.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, in fact we have been voting on the amendments in so many ways. We have favoured some, voted against others and remained neutral also.

PRESIDENT : We cannot possibly sit in posthumous dissection of the motives that animated the honourable members in voting various clauses.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : What I want to say is that we have not been following a policy of non-violent non-co-operation.

PRESIDENT : We are concerned with the ultimate results.

MR. R. SAMBASIVA AIYAR : Mr. Velayudhan Pillai had agreed to the principle of a limit being placed. I think they got wiser afterwards and took up new positions. It is not any aspersion I cast on the honourable members of this House. What I submit is that a considerable section of the House was feeling with me at one stage of the Bill and the statement of the leader of the National Congress party will show this.

MR. M. R. NARAYANA PILLAI : May I know what brought about the change.

MR. R. SAMBASIVA AIYAR : I do not know what happened. My submission is that it should not be supposed that this Bill has the unanimous support of the House excepting myself alone, for there is not that public opinion behind it which would justify Government in proceeding further, and it is the duty of the Government to reject this Bill on its merits because it does not conform to the principles stated by the Dewan.

LIBRARY ARCHIVES Kerala Legislative Assembly

PRESIDENT: In so for as any bill or project is before the House, the jurisdiction of this House is plenary and therefore it is not quite in order for the honourable member to advert to what may happen to this Bill elsewhere or in any other part.

MR. R. SAMBASIVA AIYAR: I would submit that there is cunsiderable opposition in the country and that therefore this Bill in the form in which it is passed should be rejected.

MR. K. R. NARAYANAN: സർ, തിരുവിതാംകൂറിലെ... ... ...

PRESIDENT: I do not think that is in order.

The question that the Bill be passed into law was put and carried.

The Bill was passed.

MR. K. V. JOSEPH: Sir,.....

PRESIDENT: It is not open to the honourable member after the Bill is passed to make any observations.

MR. PUTHUPALLY S. KRISHNA PILLAI: In the proceedings that are to follow Mr. R. Sambasiva Aiyar and Mr. K. V. Joseph are not entitled to be present. They want to say a few words in respect of this Bill and take leave of the House.

PRESIDENT: How can that be? They must have asked my permission before the Bill was passed.

MR. C. V. CHANDRASEKHARAN: They want to thank the House for passing this Bill.

PRESIDENT: Yes.

MR. K. V. JOSEPH (*Nominated*): സർ, കടനിവാരണബിൽ ഈ അസംബ്ളിയിൽ പാസായിരിക്കുന്ന ഈ ശുഭാവസരത്തിൽ രണ്ടുവാക്കു പറയുന്നതിനു എനിക്കു ആഗ്രഹം ഉണ്ടു്.

ഈ ബിൽ നിയമമാകുമ്പോൾ ഈ രാജ്യത്തിന്റെ സാമ്പത്തിക സ്ഥിതിയിൽ എത്രയും ആശാവഹമായ ഒരു പരിവർത്തനത്തെ അതു് ഉൽഘാടനം ചെയ്യുമെന്നുള്ളതിൽ എനിക്കു് ഒരു സംശയവുമില്ല. ക്രൂരാതെ മഹാരാജാവുതിരുമനസ്സിലെ അനേകലക്ഷം പ്രജകൾ കഴിഞ്ഞ പത്തു വർഷക്കാലമായി അനുഭവിച്ചുവരുന്ന കഷ്ടനഷ്ടങ്ങൾക്കു് ഗണ്യമായ വിധം ഒരു സാവകാശം ലഭിക്കുന്നതുമാകുന്നു. അവരുടെ ഭാവി ആശാപൂർണ്ണവും സന്തോഷകരവും ആയിത്തീരുന്നതുമാണു്. കടനിവാരണക്കാര്യത്തിൽ ബഹുമാനപ്പെട്ട ദിവാൻജിഅവർകൾ പ്രദർശിപ്പിച്ചിട്ടുള്ള സഹതാപവും, നീതിബോധവും കാര്യശേഷിയും ഈ രാജ്യവാസികൾക്കു ഒരു കാലത്തും മറക്കാവുന്നതല്ല. ഈ സംഗതിയിലും മറുപല സംഗതിയിലും ഈനാട്ടുകാക്കു് ദിവാൻജി അവർകളോടുള്ള കടപ്പാടു് അവർ ക്രമേണമനസ്സിലാക്കിക്കൊള്ളുമെന്നു ഞാൻ ധൈര്യപ്പെടുന്നു. ഈ സന്ദർഭത്തിൽ വേറെ ഒരു കാര്യംകൂടെ ഉന്നിപ്പറയണമെന്നു് ഞാൻ ആഗ്രഹിക്കുന്നു. മഹാരാജാവുതിരുമനസ്സിലെ ഗവൺമെൻറിനെ ന്യായമായ മാർഗ്ഗങ്ങ

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. V. Joseph.]

ളിൽക്കൂടെ സമീപിച്ചാൽ പ്രജകളുടെ സങ്കടങ്ങൾക്ക് മതിയായ പരിഹാരം ഉണ്ടാക്കിത്തരുമെന്നുള്ളതു് എത്രയും വാസ്തവമായ ഒരു സംഗതിയാണ്. ഈ രാജ്യചരിത്രം ഈ പരമാർത്ഥം ക്കടെക്കൂടെ വിളിച്ചുപറഞ്ഞിട്ടുണ്ട്. ഇപ്പോഴത്തെ ബിൽ ഈ സംഗതിയെ പ്രകടമായി തെളിയിക്കുന്നുമുണ്ട്. മഹാരാജാവുതിരുമനസ്സിലെ ഗവൺമെൻറിനോടും പ്രത്യേകിച്ചു് മഹാമനസ്കനായ അവിടത്തോടും കൃഷിക്കാരായ ഞങ്ങൾക്കുള്ള അഗാധമായ നന്ദിയെ പ്രകാശിപ്പിച്ചുകൊള്ളുന്നു.

MR. R. SAMBASIVA AIYAR : On a point of order, Sir. The member is reading from his notes.

PRESIDENT : He is very actively refreshing his memory from his notes.

MR. K. V. JOSEPH : ഈ ബിൽ തയാറാക്കി എത്രയും സ്തുത്യർഹമായ വിധം അതിനെ അവതരിപ്പിച്ചു് ഈ സഭയിൽ പാസാക്കുന്നതിനു് അക്ഷീണപരിശ്രമം ചെയ്തിട്ടുള്ള ലീഗൽ റിമംബ്രൻസർ മി: പുതുപ്പള്ളി കൃഷ്ണപിള്ളയേയും ഞാൻ ഹാർട്ടായി അനുമോദിച്ചുകൊള്ളുന്നു. ഫ ഫ ന്യ ചിങ്ങം ഫ-ാംനു-യോടെ പുതിയനിയമം നടപ്പിലാകുമെന്നുള്ള ആത്മാർത്ഥമായ പ്രതീക്ഷയോടെ ഞാൻ വിരമിച്ചുകൊള്ളുന്നു.

MR. K. R. NARAYANAN : സർ, തിരുവിതാംകൂറിലെ പൌരാവലി അതൃൽക്കണ്ഠയോടുകൂടി പ്രതീക്ഷിച്ചിരുന്ന ജീനനിവാരണബില്ല്, ഉത്തമർണ്ണന്റെ ഉത്തമ താല്പര്യങ്ങൾക്കു് സാരമായ ഉടവു വരാതെയും, അധമർണ്ണന്റെ താല്പര്യങ്ങൾക്കു പ്രയോജനകരമായ സംരക്ഷണം ചെയ്യും പാസ്സാക്കുവാൻ സൌകര്യമുണ്ടാക്കിയ ദിവാൻപ്രസിഡൻറു് അവർകളോടുള്ള ആത്മാർത്ഥമായ കൃതജ്ഞത പ്രകടിപ്പിക്കുന്നതിനു് ഈ അവസരം ഞാൻ ഉപയോഗിച്ചുകൊള്ളുന്നു. വിഭിന്ന താല്പര്യങ്ങളോടും, ആ താല്പര്യസംരക്ഷണത്തിനു് വിഭിന്നാഭിപ്രായങ്ങളോടുംകൂടി കഴിയുന്ന സമ്പത്തികരുചിക്കാരെ—ഉത്തരധ്രുവത്തിലും ദക്ഷിണധ്രുവത്തിലും നിന്നവരെ—"അച്ഛനും മകനും അന്തരം വരാത്തവിധത്തിൽ" ഒരു നിയമത്തിന്റെ ശീതളഛായയിൽ വരുത്തുന്നതിൽ ദിവാൻ പ്രസിഡണ്ടു് അവർകൾക്കു് സ്വാഭാവികമായി ഉണ്ടാകാവുന്ന വിഷമങ്ങൾ, ആ വിഷമങ്ങൾ തരണം ചെയ്യുവാൻ അദ്ദേഹം കാണിച്ച ദീർഘദർശനവും ചൂഴിഞ്ഞുനോക്കികാണുന്നവർക്കു അദ്ദേഹത്തോടുള്ള കൃതജ്ഞത അതിന്റെ പരിശുദ്ധരൂപത്തിൽതന്നെ ശതഗുണീഭവിക്കും. കടക്കാർ പ്രതീക്ഷിച്ചിരുന്ന ആനുകൂ

LIBRARY ARCHIVES Kerala Legislative Assembly

ല്യങ്ങൾ ഈ ബില്ലുകൊണ്ട് പൂർണ്ണമായി സിദ്ധിക്കുന്നില്ലെങ്കിലും അവരുടെ ഞെരുക്കത്തിന് കുറവുവരുത്തുവാൻ ഈബില്ല് പ്രയോജനപ്പെടുമെന്നുള്ള കാര്യം സംശയരഹിതമാണ്.

ലീഗൽ റിമംബറൻസർ മി. പുതുപ്പള്ളി കൃഷ്ണപിള്ള ഈ ബില്ല് ഈ രൂപത്തിൽ കൊണ്ടുവരുവാൻ ആത്മാർത്ഥമായും, അവിശ്രമമായും പരിശ്രമിച്ചു എന്നുള്ളതു്, ബഹുമാനപുരസ്സരം ഞാൻ പ്രസ്താവിച്ചുകൊള്ളട്ടെ. ഒരു നിയമപണ്ഡിതന്റെ പാണ്ഡിത്യം ഈ ബില്ലിന്റെ വാദ പ്രതിവാദവേളയിൽ അദ്ദേഹം പ്രദർശിപ്പിച്ചു എന്നുള്ളതുകൂടാതെ, ബഹുജനഭരിതം അറിയാവുന്ന ഒരുത്തൻ ഉന്നതസ്ഥാനത്തുവന്നാൽ, ബഹുജനഭരിതം മാറുവാൻ, കൃത്യവിലോപം വരുത്താതെ എന്തുചെയ്യാമെന്നും എങ്ങിനെ ചെയ്യാമെന്നും അദ്ദേഹം കാണിക്കുകൂടി ചെയ്തിരിക്കുന്നു. നിയമപണ്ഡിതന്മാരും നിരൂപണവിശാരദന്മാരുടേയും വാദങ്ങളുടേയും ചോദ്യങ്ങളുടേയും മദ്ധ്യത്തിൽ സമരാങ്കണത്തിലെ അർജ്ജുനനെപ്പോലെ നിന്ന് സാമർത്ഥ്യം പ്രകടിപ്പിച്ച മി. കൃഷ്ണപിള്ളയോടു് ഉള്ള കൃതജ്ഞതയും ഈ സഭയുടെ വേണ്ടി ഞാൻ അറിയിച്ചുകൊള്ളുന്നു.

"മിസ്റ്റർ സാംബശിവയ്യർ" അദ്ദേഹത്തിന്റെ പേരു് വളരെ ബഹുമാനപൂർവ്വംതന്നെ ഞാൻ പ്രസ്താവിച്ചുകൊള്ളട്ടെ. അദ്ദേഹത്തിന്റെ അഭിപ്രായങ്ങളോടു് ഈ സഭയിലെ പലരും വിയോജിച്ചു എങ്കിലും അദ്ദേഹത്തിനു കിട്ടുമെന്നു് അദ്ദേഹം പ്രതീക്ഷിച്ച പാർട്ടിയുടെ സഹായം ഇല്ലാതെ വന്നു എങ്കിലും, അതിൽ നിരാശ തോന്നാതെ, നിരുന്മേഷനാകാതെ തിരുവിതാംകൂർ നിയമസഭാ ചരിത്രത്തിൽ നിശാസമ്മേളനംകൂടി ഉണ്ടാക്കി സ്വാഭിപ്രായസ്ഥാപനത്തിനു് ശ്രമിച്ചുകൂടി ശ്രമിച്ച മി. സാംബശിവയ്യരോടു് ഞാൻ അതീവ കൃതജ്ഞനാണു്. അദ്ദേഹത്തിന്റെ അഭിപ്രായത്തോടു് ഞാൻ പലപ്പഴും ഭിന്നിച്ചുഎങ്കിലും അദ്ദേഹം വാദമുഖങ്ങൾ അടുക്കായും വെടിപ്പായും സഭയിൽ ചുരുക്കിയുവച്ച സംപ്രദായത്തോടു് എനിക്കു ഇപ്പഴും ബഹുമാനമുണ്ടു്. അതുമാത്രമല്ല അദ്ദേഹത്തിന്റെ വാദഗതിമൂലം ഈ ബില്ലു് വളരെ വികസിക്കുകയും ചെയ്തിട്ടുണ്ടു്.

ഈ ബില്ലു് ഈ രൂപത്തിൽ പാസാക്കുവാനും അതു ശീഘ്രമായി നിയമമാക്കുവാനും പങ്കെടുക്കുന്ന സുഹൃത്തുക്കൾക്കെല്ലാം പ്രത്യേകംപ്രത്യേകം കൃതജ്ഞത രേഖപ്പെടുത്തുവാൻ എനിക്കു് ആഗ്രഹമുണ്ടെങ്കിലും സമയത്തെ ദുർവ്വിഭ്യംകൊണ്ടും മറും അതിനു തുനിയാതെ എല്ലാവർക്കും മൊത്തമായി നന്ദി രേഖപ്പെടുത്തുകയും ദിവാൻ പ്രസിഡൻറു് അവർകളോടും മറുമുള്ള കൃതജ്ഞത ഒരിക്കൽകൂടി രേഖപ്പെടുത്തുകയും ചെയ്യുന്നു.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. C. V. CHANDRASEKHARAN : Sir, I have been seconding this Bill from its very introduction and I did not get even one word of thanks. (*Laughter.*)

PRESIDENT : The poet Milton has said "They also serve who only stand and wait."

MR. PUTHUPALLY S. KRISHNA PILLAI : Sir, in the year 1114 the question of affording relief to the indebted people was seriously taken by Government into consideration and steps were taken from time to time for the purpose of giving effect to the opinion formed by Government at that time. I do not advert to the earnest endeavours made by the Debt Relief Enquiry Committee whose report has been in the hands of the public. Without any loss of time Government duly considered the various recommendations of the Committee and came to the conclusion that some measure of relief is necessary. But they could not forget for the moment that there was a class of people who were opposed to any radical measure in respect of this matter. Their opinion had also to be respected and any delay in the matter of bringing up the Bill could be attributed only to that cause. Government anxiously considered the *pros and cons* of the matter and finally prepared their Bill and placed it for the acceptance of the House. No doubt, the provisions contained in the Bill were not as far-reaching as some members would have it and were not so progressive as other members would have it Government, as I have always been stating, only tried to do justice between two contending parties and in that, a middle course had to be adopted. But, so for as the present provisions are concerned, my impression is, Sir, that it may to some extent cause heart-burning and anxiety to the creditor class who have always helped those who were in want and have supplied and helped them with money on occasions of need. To them all that I can say is that this Bill which has been passed with the approval of the majority of the members of this House, I may even say a good majority of the members of this House, guarantees payment of a good portion of the debt. Creditors who have advanced money must have felt or begun to feel that it is difficult to get back the money that they have advanced. But, when this Bill comes into force a change of attitute might be brought about and the creditors will thank the House for the Bill that they have passed.

However, as the member representing Government, I have to state, Sir, that this Bill contains provisions, which, it is hoped, would be satisfactory to the majority of the people of this State, and the inconvenience that might arise to the creditors would be overcome when the Act itself comes into operation and when the creditors themselves are receiving the money that the debtors will have to pay under the provision of this Act.

There appears to be some misunderstanding, Sir, in respect of this Bill, that either Government were not in full sympathy with this measure or were over anxious to bring this measure. Neither position can be said to be correct. Government have been only anxious to do

LIBRARY ARCHIVES Kerala Legislative Assembly

justice to both the parties and the whole attitude of Government must have been controlled and governed by that feeling. Several members, Sir, have expressed their thanks for the steps taken by Government. I thank the various members who have given expression to such feelings. As regards the reference made to me personally as the Legal Remembrancer, all that I have to say is that I have taken a part which I have been called upon to take and all that I have done is done in the discharge of my duty. Probably my enthusiasm of feeling may have carried me beyond what was permitted by the rules of debate or the practice in this House. But as I have become familiar with several of the honourable members and they have begun to learn my ways of thinking and expressing ideas, I am quite sure, Sir, I can really feel that instead of feeling offended with me they will only appreciate the sincerity with which I have been discharging my duties. I fully hope and trust that this measure will prove to be a real boon to the country and that credit will flourish in spite of the adverse circumstance under which it has to thrive for a short period after the introduction of this measure.

PRESIDENT: In bringing these proceedings relating to the Debt Relief legislation to the conclusion, I thank those members who have made personal references to me and to Government. In the handling of this measure and in the attitude towards it which the Government have taken and will take, they will be guided by the principle of reconciliation of interests which is not always easy to bring about. No doubt, there is the point of view of the creditor and I have never been slow to refer to the importance of credit and credit machinery. On the other hand it must be remembered that all over India certain measures have been passed and the people of the various States and Provinces and therefore of this State have expected some relief. To those who are apt to be rather capticus in this matter, I might say that it is wise to know exactly the signs of the times and to arrive at such an adjustment that the best possible harmonisation of interests might be effected. I thank the members for the helpful part they have played in the conduct of this Bill in this House and our thanks are due especially to Mr. Sambasiva Aiyar and Mr. K. V. Joseph. Mr. Joseph's pertinacity has been beyond all praise and it has been made obvious to Government on many occasions, because his powers of advocacy are extensive and continuous. He has exercised a great influence in bringing about the ultimate result and he has every reason to congratulate himself. I feel sure that the honourable House and the country will realise that this Bill is essentially the result of a compromise. I trust that the country at large will bear that in mind in judging of this Bill and, as the Legal Remembrancer wisely put it, perhaps Bills which are objected to and considered to be revolutionary on paper may be found to be advantageous and beneficial in the actual working. (*Cheers.*)

LIBRARY ARCHIVES Kerala Legislative Assembly